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*Deanne* DEPUTY



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

GEN-PROBE INCORPORATED,

Plaintiff,

v.

VYSIS, INC.,

Defendants.

Civil No. 99cv2668 H(AJB)

SCHEDULING ORDER

Pursuant to Rule 16.1 (d) (6) of the Local Rules, a Case Management Conference was held on September 13, 2000. After consulting with the attorneys of record for the parties and being advised of the status of the case, and good cause appearing,

IT IS HEREBY ORDERED:

1. On or before April 23, 2001, each party shall comply with the opening disclosure report provisions in Rule 26(a)(2)(A) and (B) of the Federal Rules of Civil Procedure. Any opposing reports shall be exchanged on or before May 18, 2001.
2. Any party shall supplement its disclosure regarding contradictory or rebuttal evidence under Rule 26(a)(2)(c) on or before May 29, 2001.
3. Please be advised that failure to comply with this section or any other discovery order of the court may result in the sanctions provided for in Fed.R.Civ.P.37 including a prohibition on the introduction of experts or other designated matters in evidence.

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1 4. All fact discovery shall be completed by all parties on or before April 17, 2001. All  
2 expert discovery shall be completed by all parties on or before June 15, 2001. "Completed" means that  
3 all discovery under Rules 30-36 of the Federal Rules of Civil Procedure, and discovery subpoenas under  
4 Rule 45, must be initiated a sufficient period of time in advance of the cut-off date, *so that it may be*  
5 *completed* by the cut-off date, taking into account the times for service, notice and response as set forth  
6 in the Federal Rules of Civil Procedure. **All discovery conferences must be calendared within 30**  
7 **days of the dispute arising.**

8 5. All other pretrial motions must be filed so that they may be heard on or before August 6,  
9 2001. Please be advised that counsel for the moving party must obtain a motion hearing date from the  
10 law clerk of the judge who will hear the motion. Be further advised that the period of time between the  
11 date you request a motion date and the hearing date may vary from one district judge to another. Please  
12 plan accordingly. For example, you should contact the judge's law clerk in advance of the motion cut-  
13 off to calendar the motion. Failure to make a timely request a motion date may result in the motion not  
14 being heard.

15 6. Counsel shall file their Memoranda of Contentions of Fact and Law and take any other  
16 action required by Local Rule 16.1 (f) (3) on or before September 10, 2001.

17 7. Counsel shall comply with the Pre-trial disclosure requirements of Federal Rule of Civil  
18 Procedure 26(a)(3) on or before September 10, 2001.

19 8. Counsel shall meet and take the action required by Local Rule 16.1 (f) (5) on or before  
20 September 24, 2001.

21 9. Objections to Pre-trial disclosures shall be filed no later than October 1, 2001.

22 10. The Proposed Final Pretrial Conference Order required by Local Rule 16.1 (f) (7) shall be  
23 prepared, served, and lodged on or before October 1, 2001.

24 11. The final Pretrial Conference is scheduled on the calendar of Judge Huff on ***October 8,***  
25 ***2001 at 10:30 a.m.***

26 12. A post trial settlement conference before a magistrate judge may be held within 30 days  
27 of verdict in the case.

28 13. The dates and times set forth herein will not be modified except for good cause shown.

14. Dates and times for hearings on motions should be approved by the Court's clerk before notice of hearing is served.

15. Briefs or memoranda in support of or in opposition to any pending motion shall not exceed twenty-five (25) pages in length without leave of a district court judge. No reply memorandum shall exceed ten (10) pages without leave of a district court judge. Briefs and memoranda exceeding ten (10) pages in length shall have a table of contents and a table of authorities cited.

IT IS SO ORDERED.

Dated:-

ANTHONY J. BATTAGLIA  
United States Magistrate Judge

cc: Judge Huff  
All Counsel of Record